

**STATE OF SOUTH CAROLINA**

**(Caption of Case)**

**IN RE:**

Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**COVER SHEET**

**DOCKET**

**NUMBER: 2008 - 360 - S**

(Please type or print)

**Submitted by:** Richard L. Whitt

**SC Bar Number:** 62895

**Address:** Austin & Rogers, P.A.

**Telephone:** 803-251-7442

508 Hampton Street, Suite 300

**Fax:** 803-252-3679

Columbia, South Carolina 29201

**Other:** 803-256-4000

**Email:** rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

**Other:** Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit of Publication	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certifica	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigat	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certification of Mailing	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discove	
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Discovery	<input type="checkbox"/> Return	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

## INSTRUCTIONS

### **IT IS HEREIN REQUESTED:**

1. That all information shall be provided to the undersigned in the format as requested.
2. That all responses to the below Interrogatories shall be labeled using the same numbers as used herein.
3. That if the requested information is found in other places or in other exhibits, reference not be made to those, but, instead, that the information be reproduced and placed in the responses to these Interrogatories in the appropriate sequence.
4. That any inquiries or communication relating to questions concerning clarifications of the data requested below be directed to the undersigned.
5. That all exhibits be reduced to an 8 1/2" x 11" format.
6. That each Interrogatory be reproduced at the beginning of the response thereto.
7. That Respondent provide the undersigned with responses to these Interrogatories as soon as possible but **not later than twenty (20) days from the date of service hereof.**
8. If the response to any Interrogatory is that the information requested is not currently available, state when the information requested will become available.
9. These Interrogatories shall be deemed continuing so as to require Respondent to supplement or amend their responses as any additional information becomes available up to and through the date of trial.
10. If a privilege not to answer an Interrogatory is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.
11. If a refusal to answer an Interrogatory is based on the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of hours and costs required to conduct the search.
12. Answer each Interrogatory on the basis of the entire knowledge of Respondent, including information in the possession of Respondent or its consultants, representatives, agents, experts, and attorneys, if any.
13. If any Interrogatory cannot be answered in full, answer to the extent possible and specify the reasons for Respondent's inability to answer.



## DEFINITIONS

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "You" or "your" shall refer to Respondent, its successors, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.
2. Respondent shall refer to Alpine Utilities, Inc. and includes its business divisions, operating divisions, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.
3. The conjunctions "and" and "or" shall be interpreted in each and every instance as meaning "and/or" and shall in neither instance be interpreted disjunctively to exclude any document or information otherwise within the scope of any description or request made herein.
4. "Document" shall mean all originals of any nature whatsoever, identical copies and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody or control, or other tangible objects regardless of where located; including, without limiting the generality of foregoing, punch cards, print-out sheets, movie film, slides, photographs, records, microfilm, notes, letters, memoranda, ledgers, worksheets, books, magazines, notebooks, diaries, calendars, appointment book registers, charts, cable, papers, agreements, contracts, purchase orders, acknowledgements, invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meeting of any kind, correspondence, telegrams, drafts, data processing disks or tapes, or computer-produced interpretations thereof, instructions, announcements, schedules, and price list. In all cases where originals and/or non-identical copies are not available, "document" also means identical copies of original documents and copies of non-identical copies.
5. "Identify" or "identity" used with reference to an individual means to state his or her full name, present or last known address, present or last known position and business affiliation, and employer, title, and position at the same time in question.
6. "Identify" or "identity" used with reference to a writing means to state the date, author, type of document (e.g. letter, memorandum, telegram, chart, note, application, etc.) or other means of identification, and its present location or custodian. If any such document is no longer in Respondent's possession or subject to their control, state what disposition was made of it.
7. All references to the singular contained herein shall be deemed to include the appropriate plural number and all references to the plural shall be deemed to include the singular. All references to the masculine gender contained herein shall be deemed to include the appropriate feminine and neuter genders.

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2008-360-S**

IN RE: )  
Happy Rabbit, LP on Behalf of, )  
Windridge Townhomes, )  
 )  
Complainant, )  
v. )  
 )  
Alpine Utilities, Inc., )  
Respondent )  
\_\_\_\_\_ )

**COMPLAINANT'S**  
**FIRST SET OF**  
**INTERROGATORIES**

**TO: Respondent Alpine Utilities, Inc., (hereinafter, "Respondent or Respondent Alpine").**

Complainant, Happy Rabbit, LP on Behalf of Windridge Townhomes, (hereinafter, "Happy Rabbit"), through counsel, hereby requires the above-named Respondent to answer under oath the Interrogatories hereinafter set forth, within twenty (20) days after the service thereof in accordance with 26 S.C. Code Ann. 103-833.B (Supp. 2008) and other applicable Commission rules and regulations. This set of interrogatories shall be deemed continuing, and if complete answers to any of them are not presently available, and the information becomes available before trial, supplemental answers are required at such time as this information becomes available to Respondent.

**1. Give the names and addresses of persons known to you or counsel to be witnesses concerning the facts of this case and please indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.**

**2. For each person known to Alpine or counsel to be a witness concerning the facts of this case, set forth either a summary sufficient to inform Complainant of the important facts known to or observed by such witnesses, or provide a copy of any written and recorded statements taken from such witnesses.**

**3. Set forth a list of photographs, plats, sketches or other prepared documents in possession of Respondent Alpine's counsel that relates to Respondent Alpines defenses in this case.**

**4. List the names and addresses of any expert witnesses whom Respondent Alpine propose to use as witnesses in support of Respondent's defenses.**

**5. Specifically identify any documents in Alpine's possession that Alpine contends supports Respondent Alpine's defenses in this case.**



6. List the names and addresses of all other properties served by Alpine, consisting of a building, with more than one residential unit and less than four residential units, which Alpine requires the landlord to be responsible for the payment of utility services provided to the tenants of the premises?

7. List the names and addresses of all other properties served by Alpine, consisting of a building, with more than one residential unit and less than four residential units, where Alpine is in a utility relationship whereby the landlord is responsible for the payment of the utility services provided to the tenants of the premises?

8. List the names and addresses of every individual or entity in which Respondent Alpine is engaged in a formal adversarial relationship, arbitration, claimed violation of local, state, or federal law or regulation, litigation of any kind, in any forum, now or within the last three calendar years?

AUSTIN & ROGERS, PA

\_\_\_\_\_/s/\_\_\_\_\_  
Richard L. Whitt  
508 Hampton Street, Suite 300  
Columbia, South Carolina 29201  
(803) 251-7442  
Attorney for Complainant

Columbia, South Carolina

RLW/jjy  
February 4, 2009

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2008-360-S**

IN RE:

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\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

I, Le’Nore Sims, an employee of Austin & Rogers, P.A., certify that I provided a copy of Happy Rabbit’s First Set of Interrogatories in the above referenced matter as indicated below, via Hand Delivery as addressed below, or e-mail on February 4, 2009.

Attorney Benjamin P. Mustian  
930 Richland Street  
Columbia S.C., 29201  
**Via Hand Delivery**

Nanette S. Edwards, Esquire  
**Via e-mail**

Austin & Rogers, P.A.

\_\_\_\_\_/s/\_\_\_\_\_  
Le’nore Sims

Columbia, South Carolina  
February 4, 2009